

REMARKS

Claims 1-16 are pending in the present application. Paragraph 2 of the office action rejects claims 1, 4, 5, 7, 8, 9, 12, 13, 15 and 16 under 35 USC 103(a) as being unpatentable over U.S. Patent No. 2,691,316 to *Brame* in view of U.S. Published Application No. 2004/0035257 to *Tuan-Mu*. Paragraph 3 of the office action rejects claims 2, 6, 10 and 14 under 35 USC 103(a) as being unpatentable over U.S. Patent No. 2,691,316 to *Brame* in view of U.S. Published Application No. 2004/0035257 to *Tuan-Mu* and U.S. Patent No. 4,337,860 to *Carrigan*. Paragraph 4 of the office action rejects claims 3 and 11 under 35 USC 103(a) as being unpatentable over U.S. Patent No. 2,691,316 to *Brame* in view of U.S. Published Application No. 2004/0035257 to *Tuan-Mu* and U.S. Patent No. 5,368,164 to *Bennett et al.*

Applicants respectfully traverse the rejection of claims 1, 4, 5, 7, 8, 9, 12, 13, 15 and 16 as being made obvious by *Brame* in view of *Tuan-Mu* since there is no suggestion or motivation to modify the *Brame* wrench to include an elongated one piece forging as called for in independent claims 1, 4 and 9.

Brame discloses a wrench body generally indicated by numeral 5 having an annular head 6 adapted to rotatably receive a ratchet hub 7 and a shank 8 defining a square aperture 9 therethrough. The wrench body is formed from a pair of superimposed outer stampings 12 and 13, formed of suitable heat treated metal and spaced by one or more metal laminations 14. The spacer laminations 14 are transversely drilled at spaced points 17 and provided with bushings 18 for receiving connecting pins or rivets 19 which pass through and secure stampings 12 and 13. Hub 7 has a central aperture 27 and is formed with a series of teeth which may vary in number depending on the type of nut to be operated on or the nature of the fitting with which it is to be used. Aperture 9 is adapted to receive a pivoting squared end 10 of an extension handle 11. The pivoting nature of square tang 10 allows the wrench to be operated from various angles of approach, as stated at col. 1, lns. 13 - 18.

Brame fails to teach or suggest a double box end wrench formed from an elongated one piece forging that includes a ratcheting end and a fixed end for use with a drive bar, and

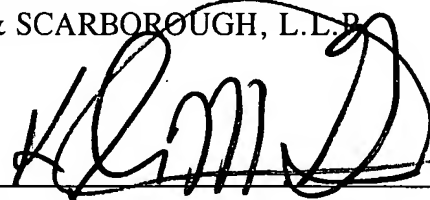
in fact teaches away from using a one-piece forging. In particular, *Brame* states that the primary object of the invention is to provide a wrench constructed of a series of complementary stampings which are assembled in a manner to provide an extremely high torque value while simplifying the construction and manufacturing of the wrench. (Col. 1, lns. 31 - 40). Furthermore, an additional stated object of the invention is to provide an improved box ratchet wrench formed from a series of stampings secured together by rivets, where the rivets themselves carry no sheer loads. Thus, *Brame* is directed to an easy to manufacture box end wrench formed from stampings and not a one piece forging as called for in the independent claims. For at least this reason, it would not have been obvious to one of ordinary skill in the art to look to *Brame* to form a double box end wrench from an elongated one-piece forging where one box end includes a ratcheting end.

CONCLUSION

For at least the reason stated above, Applicants believe that claims 1-16 are not obvious in view of the cited art and are in condition for allowance. Favorable action by the Examiner and withdrawal of the cited rejections is respectfully requested. The Examiner is invited to call the undersigned in an effort to discuss and resolve any remaining issues. Please charge any additional fees or credit any overpayment to Deposit Account No. 50-1196.

Respectfully submitted,

NELSON MULLINS RILEY
& SCARBOROUGH, L.L.P.



Kyle M. Globerman
Registration No. 46,730
1320 Main Street
Columbia, SC 29201
Office: (404) 817-6204
Fax: (803) 255-9831